

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

JACQUELINE N. TANZY,

*Plaintiff,*

v.

ALEJANDRO MAYORKAS, Secretary  
of Homeland Security,

*Defendant.*

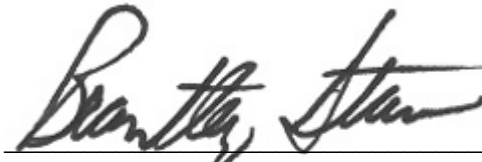
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Civil Case No. 3:20-CV-03161-X-BH

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND**  
**RECOMMENDATION OF THE UNITED STATES MAGISTRATE**  
**JUDGE**

The United States Magistrate Judge made findings, conclusions, and a recommendation in this case. The plaintiff filed a notice of the right to object, which the Court construes as objections to the Magistrate Judge's findings, conclusions, and recommendation. Therefore, the Court reviewed the proposed findings, conclusions, and recommendation *de novo*. Having done so, the Court finds that the Findings and Conclusions of the Magistrate Judge are correct. So, the Court **ACCEPTS** the Findings, Conclusions, and Recommendation of the United States Magistrate Judge. The Court **GRANTS IN PART** and **DENIES IN PART** the defendant's motion to dismiss [Doc. No. 24]. The plaintiff's discrimination claim based on her low performance rating is **DISMISSED WITH PREJUDICE** and her retaliation claims are **DISMISSED WITHOUT PREJUDICE**. The plaintiff's discrimination claim based on her denied overtime requests remains pending.

**IT IS SO ORDERED** this 16th day of August, 2021.

A handwritten signature in black ink, appearing to read "Brantley Starr", written over a horizontal line.

BRANTLEY STARR  
UNITED STATES DISTRICT JUDGE